



DEPARTMENT OF COMMERCE

National Institute of Standards and Technology (NIST)

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Solicitations of Outside Advisors Information Collection Request (ICR).

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: Notice of information collection, request for comment.

SUMMARY: The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

DATES: To ensure consideration, comments regarding this proposed information collection must be received on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Interested persons are invited to submit written comments by mail to Liz Reinhart, Management Analyst, National Institute of Standards and Technology, at elizabeth.reinhart@nist.gov or PRAComments@doc.gov. Do not submit Confidential Business Information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or specific questions related to collection activities should be directed to Cierra Bean, Business Operations Specialist, CHIPS Program Office, at askchips@chips.gov or 1-202-815-2677.

SUPPLEMENTARY INFORMATION:

I. Abstract

The CHIPS Incentives Program is authorized by title XCIX—Creating Helpful Incentives

to Produce Semiconductors for America of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Pub. L. 116-283, referred to as the CHIPS Act or Act), as amended by the CHIPS Act of 2022 (Division A of Pub. L. 117-167). The CHIPS Incentives Program is administered by the CHIPS Program Office (CPO) within the National Institute of Standards and Technology (NIST) of the United States Department of Commerce (Department).

On February 28, 2023, the CHIPS Program Office (CPO) released a notice of funding opportunity (NOFO) to solicit applications for CHIPS Incentives that will support investments in the construction, expansion, and modernization of (a) commercial facilities in the United States for the front- and back-end fabrication of leading-edge, current-generation, and mature-node semiconductors; (b) commercial facilities in the United States for wafer manufacturing; and (c) commercial facilities in the United States for materials used to manufacture semiconductors and semiconductor manufacturing equipment, provided that the capital investment, equals or exceeds \$300 million.

As stated on p. 14 of the NOFO, “[t]he Department will engage outside advisors, consultants, and/or attorneys at the due diligence stage....” The information request seeks information from potential advisors, consultants, and/or attorneys to determine their qualifications to provide advice on transactions under the NOFO in fields such as construction management, corporate investigations and risk, finance and audits, insurance, market reviews, legal, real estate, and other technical issues.

II. Method of Collection

The CPO intends to collect information from applicants through email, although other methods, e.g., interviews, etc., may also be leveraged.

III. Data

OMB Control Number: 0693-XXXX.

Form Number(s): None.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 200.

Estimated Time Per Response: 8 hours.

Estimated Total Annual Burden Hours: 1600 hours.

Estimated Total Annual Cost to Public: \$75,750.

Respondent's Obligation: Mandatory to be retained as an outside advisor.

Legal Authority: CHIPS Act of 2022 (Division A of P.L. 117-167) (the Act).

IV. Request for Comments

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Sheleen Dumas,

*Department PRA Clearance Officer, Office of the Under Secretary for Economic Affairs,
Commerce Department.*